

# Special Education Leadership Conference

## September 15, 2015

### *“Celebrating Success Together”*



# Special Education Unit Updates

As we start the new school year, we are *celebrating!*

## ► New Staff

- Nancy Jo Burke: State Personnel Development Grant (SPDG) Coordinator
- Emmanuel Mensah: Special Education Data Coordinator
- Rose Nichols: Grants Manager



# As we start the new school year, we are *celebrating!*

- ▶ State Systemic Improvement Plan (SSIP) - New Indicator 17 of the State Performance Plan: Submitted April 1, 2015 Approved by OSEP
  - ▶ Special Education Improvement Planning Process through the SSIP moving forward
- ▶ OSEP 2015 Annual Determinations under IDEA
  - ▶ “North Dakota Meets Requirements”
- ▶ Assistive Technology Guidelines Completed
- ▶ New NDSA & NDAA completed and moving forward
- ▶ Dispute Resolution Process in ND: Positive



# As we start the new school year, we are *celebrating!*

- ▶ Revised Discretionary Grant Process Impactful
- ▶ First “Northern Plains Law Conference on Students with Disabilities”
  - ▶ ND Special Education Office Co-Sponsor and Planner (South Dakota, Montana, and TAESE) September 22-23, 2015 Rapid City
- ▶ Scaling up of Multi-Tiered Systems of Support through the SPDG expands to 3<sup>rd</sup> Cohort
- ▶ Secondary Transition Interagency Conference:
  - ▶ November 18-19, 2015
- ▶ 2nd Annual Autism Conference October 21-23, 2015



# As we start the new school year, we are *celebrating!*

- ▶ Early Childhood Advisory Committee Re-Instituted
- ▶ Focused Monitoring Process 2014-15) provides Technical assistance to additional two units. 2015 -16 process beginning.
- ▶ NDDPI has a new website!
- ▶ ESEA may be reauthorized before the end of the year. Senate version stronger for children with disabilities.



# As we start the new school year, we are *celebrating!*

- ▶ country is on pace to achieve the goal of a 90 percent on-time high school graduation rate by 2020, according to the 2015 Building a Grad Nation report released by America's Promise Alliance, Civic Enterprises, Everyone Graduates Center, and the Alliance for Excellent Education.
- ▶ 1 million more students of color going to college.
- ▶ North Dakota is leading the nation with the % of disabled population that is employed at 52.8%.  
<http://www.governing.com/topics/mgmt/gov-american-disabilities-act-compliance.html>
- ▶ Workforce Innovations Opportunity Act (WIOA)
  - ▶ 3.5 billion dollars to states for targeting work skills of youth with disabilities

As we start the new school year, we are  
*celebrating!*

40<sup>th</sup> Anniversary of the IDEA  
25<sup>th</sup> Anniversary of the ADA









# Fiscal Updates

Rose Nichols

IDEA B Grants Manager

# Fiscal Updates \$\$\$\$\$\$

- ▶ New equipment threshold: \$750, plus all furniture and IT products
- ▶ New Federal Register guidelines: 2 CFR Part 200 Uniform Administrative Requirements
  - ▶ To mitigate risks of waste, fraud, and abuse, NDDPI must assess potential award recipients: § 200.205
  - ▶ Recipients will be notified of their risk assessment result
  - ▶ Effective July 1, 2015; however, currently developing framework

# Fiscal Updates

- ▶ IDEA fiscal due date reminders:
  - ▶ August 31: online IDEA applications, plus General Approval Statements and Parentally Placed Private School Forms
  - ▶ August 31: Maintenance of Effort worksheets including 'exception' documentation
  - ▶ Oct 5: online invoices for any carryovers from two years prior

# Fiscal Updates

- ▶ IDEA fiscal due date reminders:
  - ▶ December 15: Levels of Service Forms for additional foundation aid payment (gifted and talented credentialed instructors)
  - ▶ July 31: online IDEA final reports and final invoices, for all expenditures through June 30

These due dates allow NDDPI staff to complete internal processes in a timely manner; however, if any cause particular hardship we would like to offer to have a workgroup discussion to review.



# Lake Region Special Education Unit Discretionary Grant Project Success Story





# Dispute Resolution Annual Report

Robin Tschider



NORTH DAKOTA DEPARTMENT OF  
**PUBLIC INSTRUCTION**

**North Dakota  
Department of Public Instruction  
Office of Special Education**

**Annual Report for I.D.E.A.  
Dispute Resolution  
July 1, 2014 – June 30, 2015**

 NORTH DAKOTA DEPARTMENT OF  
PUBLIC INSTRUCTION  
Kirsten Baesler, State Superintendent  
600 E Boulevard Ave., Dept. 201  
Bismarck, ND 58505-0440  
<https://www.nd.gov/dpi>

If you have any questions concerning the information in this report, feel free to contact NDDPI at (701) 328-277.

**Dispute Resolution Management History  
July 1, 2014 – June 30, 2015**

SCHOOL YEAR	FIEP REQUESTS (COMPLETED)	MEDIATION REQUESTS (COMPLETED)	COMPLAINT INVESTIGATION REQUESTS (INVESTIGATED)	DUE PROCESS HEARING REQUESTS (DISMISSED)
7/1/14 – 6/30/15	11 (10)	6 (5)	5 (1)	2 (2)
7/1/13 – 6/30/14	5 (2)	2 (0)	3 (1)	4 (4)
7/1/12 – 6/30/13	2	3	6 (3)	0
7/1/11 – 6/30/12	10 (5)	4 (3)	2 (0)	0
7/1/10 – 6/30/11	8 (5)	2 (1)	4 (3)	1 (1)
7/1/09 – 6/30/10	10 (8)	2 (0)	3 (2)	0 (0)
7/1/08 – 6/30/09	7 (6)	1 (1)	1 (1)	0 (0)
7/1/07 – 6/30/08	8 (7)	1 (0)	3 (3)	0 (0)
7/01/06 – 6/30/07	3 (3)	3 (3)	3 (3)	0 (0)
7/1/05 – 6/30/06	4 (4)	3 (5)	8 (8)	2 (2)
7/1/04 – 6/30/05	N/A	4 (4)	3 (3)	1 (1)
7/1/03 – 6/30/04	N/A	1 (1)	11 (11)	0 (0)

**7/1/2014 – 6/30/2015 School Year – Dispute Resolution Summary**

Eleven requests for IEP Facilitation were received:

- Ten of the eleven requests resulted in facilitated meetings and successful IEP completion.
- One request was cancelled when parties agreed to mediation instead.

Six requests for Mediation were received:

- Five mediation requests went to session and successfully resulted in agreements.
- One request was denied because student was not on an IEP.

Five requests for State Complaint Investigation were received:

- Four requests did not meet criteria for investigation.
- One request met criteria and an investigation was completed.

Two requests for Due Process Complaint were received:

- One request directed to Teacher & School Effectiveness, the child had a 504 Plan.
- One request was withdrawn by the parent.

2013-14 reporting period:

- One due process requested 5/9/14, resulted in a Settlement Agreement and was dismissed 5/7/15.
- One due process requested 6/19/14, parties came to a resolution and was dismissed 8/7/14.

# REQUESTS FOR FACILITATION FILED

SCHOOL YEAR	FIEP REQUESTS (COMPLETED)
7/1/14 – 6/30/15	11 (10)
7/1/13 – 6/30/14	5 (2)
7/1/12 – 6/30/13	2
7/1/11 – 6/30/12	10 (5)
7/1/10 – 6/30/11	8 (5)
7/1/09 – 6/30/10	10 (8)
7/1/08 – 6/30/09	7 (6)
7/1/07 – 6/30/08	8 (7)
7/01/06 – 6/30/07	3 (3)
7/1/05 – 6/30/06	4 (4)
7/1/04 – 6/30/05	N/A
7/1/03 – 6/30/04	N/A

FIEP DATE REQUEST RECEIVED/FILED BY	ISSUES	MEETING DATE(S)	OUTCOME
3/12/15  District Administrator	<ol style="list-style-type: none"> <li>Present levels of educational performance (P/S)</li> <li>Goals (P/S)</li> <li>Adaptations/accommodations (P/S)</li> </ol>	5/13/15	Facilitation resulted in successful completion of IEP.
2/9/15  Parent (Student 1 & 2) & District Administrator	<p>(Student 1 – 2/9/15 FIEP Request):</p> <ol style="list-style-type: none"> <li>Other – IWAR results (P/S)</li> <li>Placement (P/S)</li> <li>Other – Results (P/S)</li> </ol> <p>(Student 2 – 2/9/15 FIEP Request):</p> <ol style="list-style-type: none"> <li>Other – Results (P/S)</li> <li>Adaptations/accommodations (P/S)</li> <li>Other – Results IWAR (PS)</li> </ol>	3/25/15 & 4/14/15 & 5/5/15  All mtgs for both students	<p>Initial facilitation progress made, IEP not completed.</p> <p>Follow-up FIEP resulted in successful completion of IEP.</p> <p>(Mediation request for student #1.)</p>
1/06/15  Parent (Student 1 & 2)	<ol style="list-style-type: none"> <li>Placement (P)</li> <li>Identification &amp; evaluation (P)</li> <li>Present levels of education performance (P)</li> <li>Goals (P)</li> <li>Other – Transition, ESY to new school (P)</li> <li>Related services (P)</li> <li>Progress reporting (P)</li> <li>Discipline/behavior (P)</li> <li>Implementation of IEP (P)</li> </ol>	N/A	Parties chose to mediate instead.
12/12/14  Parent & Special Education Director	<ol style="list-style-type: none"> <li>Placement (P/S)</li> <li>Present levels of educational performance (P/S)</li> <li>Services (P/S)</li> <li>Goals (P/S)</li> <li>Adaptations/accommodations (P/S)</li> <li>Assistive technology (P/S)</li> <li>Discipline/behavior (P/S)</li> <li>Implementation of IEP (P/S)</li> </ol>	1/22/15 & 5/5/15	Facilitation resulted in successful completion of IEP.

# REQUESTS FOR FACILITATION FILED

SCHOOL YEAR	FIEP REQUESTS (COMPLETED)
7/1/14 – 6/30/15	11 (10)
7/1/13 – 6/30/14	5 (2)
7/1/12 – 6/30/13	2
7/1/11 – 6/30/12	10 (5)
7/1/10 – 6/30/11	8 (5)
7/1/09 – 6/30/10	10 (8)
7/1/08 – 6/30/09	7 (6)
7/1/07 – 6/30/08	8 (7)
7/01/06 – 6/30/07	3 (3)
7/1/05 – 6/30/06	4 (4)
7/1/04 – 6/30/05	N/A
7/1/03 – 6/30/04	N/A

FIEP DATE REQUEST RECEIVED/FILED BY	ISSUES	MEETING DATE(S)	OUTCOME
11/06/14 Parent & Special Education Director	<ol style="list-style-type: none"> <li>1. Placement (P/S)</li> <li>2. Present levels of education performance (P/S)</li> <li>3. Services (P/S)</li> <li>4. Goals (P/S)</li> <li>5. Other (P/S) IWAR – FBA</li> <li>6. Adapt/accommodations (P/S)</li> <li>7. Discipline/behavior (P/S)</li> <li>8. Implementation of IEP (P/S)</li> </ol>	2/2/15 & 2/9/15 & 2/17/15	Facilitation resulted in successful completion of IEP.
11/06/14 Parents & Special Education Director	<ol style="list-style-type: none"> <li>1. Placement (P/S)</li> <li>2. Services (P/S)</li> <li>3. Adapt./accommodations (P/S)</li> </ol>	12/17/14 & 1/28/15 & 2/4/15	Facilitation resulted in successful completion of IEP.
9/22/14 Parent & Secondary Principal	<ol style="list-style-type: none"> <li>1. Placement (P/S)</li> </ol>	10/14/14	Facilitation resulted in successful completion of IEP.
8/11/14 Parent & Secondary Principal	<ol style="list-style-type: none"> <li>1. Placement (P/S)</li> </ol>	9/5/14	Facilitation resulted in successful completion of IEP.
7/24/14 Parent (Student 1 & 2) & District Superintendent	<p>(Student 1 – 7/24/14 FIEP Request):</p> <ol style="list-style-type: none"> <li>1. ESY (P/S)</li> <li>2. Adaptations/accommodations (P/S)</li> </ol> <p>(Student 2 – 7/24/14 FIEP Request):</p> <ol style="list-style-type: none"> <li>1. Implementation of IEP (P/S)</li> <li>2. Adaptations/accommodations (P/S)</li> </ol>	9/2/14	<p>Student 1 – Facilitation resulted in successful completion of IEP.</p> <p>Student 2 – Facilitation resulted in successful completion of IEP.</p>

# MEDIATION REQUESTS FILED

SCHOOL YEAR	MEDIATION REQUESTS (COMPLETED)
7/1/14 – 6/30/15	6 (5)
7/1/13 – 6/30/14	2 (0)
7/1/12 – 6/30/13	3
7/1/11 – 6/30/12	4 (3)
7/1/10 – 6/30/11	2 (1)
7/1/09 – 6/30/10	2 (0)
7/1/08 – 6/30/09	1 (1)
7/1/07 – 6/30/08	1 (0)
7/01/06 – 6/30/07	3 (3)
7/1/05 – 6/30/06	3 (5)
7/1/04 – 6/30/05	4 (4)
7/1/03 – 6/30/04	1 (1)

Filed By	DATE FILED	ISSUES	OUTCOME
Parent	3/2/15	1. Academic concerns and support at school. (P)	District confirmed student was not on an IEP and did not have a disability. NDDPI did not provide mediation.
Parents & Special Education Director	2/4/15	1. Related services and providers (P/S) 2. LRE (P/S) 3. Methodology (P/S)	Mediation resulted in agreement.
Parent (Student 1 & 2) & Special Education Director	1/29/15	(Student 1 – 1/29/15 Mediation request): 1. Communication, and trust (P) 2. Goals, and progress (S) 3. Placement (P)  (Student 2 - 1/29/15 Mediation request): 1. Communication (P) 2. LRE (S) 3. Services (P)	Mediation resulted in agreement.
Parent (Student 1 & 2) & Special Education Director	12/18/14	1. Breakdown of communication, trust, integrity, and communication. (S/P)	Mediation resulted in agreement to allow parties to move forward.
Special Education Director	12/4/14	1. LRE. (S) 2. BIP (S) 3. Related services (S) 4. Communication between parties (S)	Mediation resulted in agreement to allow parties to move forward.
Parents	9/12/14	1. Parents and school disagree on eligibility for IEP vs 504. (S/P) 2. Parents concerned with staff meeting child's needs. (P) 3. Disagreement on assessment and monitoring student progress. (S/P)	Mediation resulted in agreement to support student through a 504 Plan.

# STATE COMPLAINT INVESTIGATION REQUESTS FILED

SCHOOL YEAR	COMPLAINT INVESTIGATION REQUESTS (INVESTIGATED)
7/1/14 – 6/30/15	5 (1)
7/1/13 – 6/30/14	3 (1)
7/1/12 – 6/30/13	6 (3)
7/1/11 – 6/30/12	2 (0)
7/1/10 – 6/30/11	4 (3)
7/1/09 – 6/30/10	3 (2)
7/1/08 – 6/30/09	1 (1)
7/1/07 – 6/30/08	3 (3)
7/01/06 – 6/30/07	3 (3)
7/1/05 – 6/30/06	8 (8)
7/1/04 – 6/30/05	3 (3)
7/1/03 – 6/30/04	11 (11)

COMPLAINT FILED BY	DATE FILED	ALLEGATIONS	INVESTIGATED Y/N	VIOLATION Y/N	REPORT DATE
Parents	6/4/15	1. Fail to adhere to communication between school officials and affiants regarding IEP. (P) 1. Fail to consider affiants' concerns at the IEP meetings? (P)	NO (Complaint did not fulfill all criteria for an investigation.)		
Parent	5/29/15	1. Fail to comply with the requirements to excuse a mandatory IEP team member from attending an IEP team meeting in whole or in part. (P)	YES	NO	7/24/2015
Aunt & Case Manager of Parent	5/28/15	1. Protect student from abuse. (A) 2. Fail to provide written documentation regarding suspension. (A) 3. Fail to follow IEP Plan. (A) 4. Fail to provide 1 on 1 aide. (A) 5. Fail to provide transportation. (A)	NO (Student not enrolled in public school. Complaint was forwarded to BIE.)		
Parents	4/27/15	1. Fail to locate, identify & evaluate (P) 2. Fail to provide proper IEP goals (P) 3. Fail to provide adaptations & accommodations (P)	NO (Complainants withdrew complaint request, parties agreed to a FIEP Meeting.)		
Legal Guardian	12/1/14	1. Fail to provide 1 on 1 aide. Fail to provide support on bus. (P)	NO Parties withdrew Complaint request & agreed to mediate.)		



# DUE PROCESS COMPLAINTS FILED



SCHOOL YEAR	DUE PROCESS HEARING REQUESTS (DISMISSED)
7/1/14 – 6/30/15	2 (2)
7/1/13 – 6/30/14	4 (4)
7/1/12 – 6/30/13	0
7/1/11 – 6/30/12	0
7/1/10 – 6/30/11	1 (1)
7/1/09 – 6/30/10	0 (0)
7/1/08 – 6/30/09	0 (0)
7/1/07 – 6/30/08	0 (0)
7/01/06– 6/30/07	0 (0)
7/1/05 – 6/30/06	2 (2)
7/1/04 – 6/30/05	1 (1)
7/1/03 – 6/30/04	0 (0)

COMPLAINT FILED BY	DATE FILED	ALLEGATIONS	RESOLUTION OUTCOME	HEARING Y/N	OUTCOME
Parent	5/29/15	The LEA failed to comply with IDEA re: excusal of IEP Team member attending IEP meeting in whole or part without parent consent. (P)			Parent withdrew Due Process request and complaint was dismissed on 6/10/15.
Parent	10/3/14	The LEA failed to comply with ADA re: parent consent. (P)			Student was on a 504 Plan. LEA worked with parent to address the complaint.

# OTHER QUESTIONS FROM THE FIELD



# Compliance & Indicator Reminders Special Education Team

# Procedural Safeguards & Prior Written Notice



NORTH DAKOTA DEPARTMENT OF  
**PUBLIC INSTRUCTION**

# Procedural Safeguards

## ***34 CFR § 300.500***

Each SEA must ensure that each public agency establishes, maintains, and implements procedural safeguards that meet the requirements of §§300.500 through 300.536.



# Federal Register

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Monday,  
August 14, 2006

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## Part II

### Department of Education

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34 CFR Parts 300 and 301  
Assistance to States for the Education of  
Children With Disabilities and Preschool  
Grants for Children With Disabilities;  
Final Rule

# Procedural Safeguards Notice

## 34 CFR § 300.504

(a) General. A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents **only one time** a school year, **except** that a copy also must be given to the parents--

- (1) Upon initial referral or parent request for evaluation;
- (2) Upon receipt of the first State complaint under Sec. 300.151 through 300.153 and upon receipt of the first due process complaint under Sec. 300.507 in a school year;
- (3) In accordance with the discipline procedures in Sec. 300.530(h); and
- (4) Upon request by a parent.

(b) Internet Web site. A public agency may place a current copy of the procedural safeguards notice on its Internet Web site if a Web site exists.

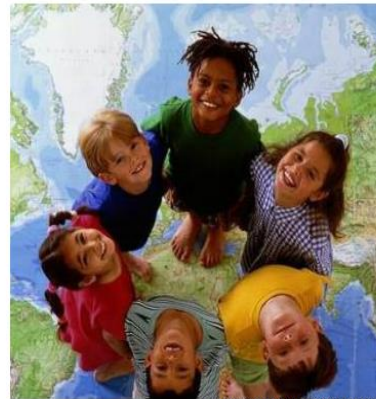
SPECIAL EDUCATION IN NORTH DAKOTA  
North Dakota Department of Public Instruction  
Kirsten Baesler, State Superintendent  
Office of Special Education  
600 E. Boulevard Ave., Dept. 201  
Bismarck ND 58505-0440

701-328-2277 (voice)  
701-328-4920 (TDD)  
701-328-4149 (Fax)



***Parental Rights for Public School Students  
Receiving Special Education Services***

***Notice of Procedural Safeguards***



United States Department of Education, Office of Special Education Programs (OSEP)



# Procedural Safeguards Notice

## 34 CFR § 300.504



(c) The procedural safeguards notice must include explanations relating to:

(1) Independent educational evaluations;

(2) **Prior written notice;**

(3) Parental consent;

(4) Access to education records;

(5) Opportunity to present and resolve complaints through due process and State complaint procedures, including;

(i) The time period in which to file a complaint;

(ii) The opportunity for the agency to resolve the complaint; and

(iii) The difference between the due process complaint and the State complaint procedures;

(6) The availability of mediation;

(7) The child's placement during the pendency of any due process complaint;

(8) Procedures for students who are subject to placement in an interim alternative educational setting;

(9) Requirements for unilateral placement by parents of children in private schools at public expense;

(10) Hearings on due process complaints, including requirements for disclosure of evaluation results and recommendations;

(11) State-level appeals (if applicable in the State);

(12) Civil actions, including the time period in which to file those actions; and

(13) Attorneys' fees

# Prior Written Notice (PWN)

***34 CFR § 300.503***

(a) Written notice must be given to the parents of a child with a disability a reasonable time before the public agency

(1) Proposes to initiate or change the **identification, evaluation, or educational placement** of the child or the **provision of FAPE** to the child; or

(2) Refuses to initiate or change the **identification, evaluation, or educational placement** of the child or the **provision of FAPE** to the child.

# PWN

**PROPOSAL** to initiate or change the:

- **E**VALUATION/REEVALUATION
- **I**DENTIFICATION
- **E**ducational PLACEMENT
- **P**ROVISION of FAPE



**REFUSAL** to initiate or change the:

- **E**VALUATION/REEVALUATION
- **I**DENTIFICATION
- **E**ducational PLACEMENT
- **P**ROVISION of FAPE



# PWN



**PROPOSAL** to...

**EVALUATION/REEVALUATION**  
(*Sec. 300.15 Evaluation.*)

**IDENTIFICATION**

**EDUCATIONAL PLACEMENT** (*Sec. 300.115 Continuum of Alternative Placements.*)

**PROVISION of FAPE** (*Sec. 300.17 Free Appropriate Public Education.*)

**REFUSAL** to...

**EVALUATION/REEVALUATION**  
(*Sec. 300.15 Evaluation.*)

**IDENTIFICATION**

**EDUCATIONAL PLACEMENT** (*Sec. 300.115 Continuum of Alternative Placements.*)

**PROVISION of FAPE** (*Sec. 300.17 Free Appropriate Public Education.*)



# PWN

TINET has two (2) PWN forms. The most frequently used PWM form is used as the IEP Notice of Meeting.

This PWN form can also be used for IDEA requirements (identification, evaluation /reevaluation, educational placement, provision of a free appropriate public education (FAPE) of a child's IEP.

## Prior Written Notice

Date \_\_\_\_\_  
(Month, Day, Year)

To \_\_\_\_\_

From \_\_\_\_\_  
(Name, Title, Location, School)

Re \_\_\_\_\_  
(Student)

The following action(s) as checked below, are being considered.

- ☐ 1. Initial evaluation
- ☐ 2. Three year reevaluation of your child's continued need for special education services
- ☐ 3. Additional evaluation to determine student needs/programming
- ☐ 4. Discussion of evaluation results, development of the Integrated Written Assessment Report, and determination whether your child has a disability under IDEA
- ☐ 5. Development of an initial Individualized Education Program (IEP) for your child. You may invite individuals with knowledge or special expertise about your child. This will include a transition plan if your child will turn 16 years of age within the coming year or if your child is 16 or older.
- ☐ 6. Review or revision of your child's Individualized Education Program (IEP). This will include a transition plan in the year your child turns 16 and thereafter.
- ☐ 7. Graduation or dismissal/exit from special education services.
- ☐ 8. Transfer of educational rights to student at age of majority.
- ☐ 9. Other considerations \_\_\_\_\_

TIENET also provides a PWN form that is used for Revocation of Consent

**PURPOSE:** If a parent/guardian or adult student revokes consent, in writing, for the continued provision of special education and related services, the district must honor the revocation and provide the parent with prior written notice identifying the date the district will stop providing services. The district may not use due process or mediation procedures to challenge the parent's revocation. Beginning the effective date indicated in the prior written notice, the district may no longer provide special education and related services to the child. The district is not required to amend the child's education records to remove references to the child's receipt of special education and related services. Once the revocation is effective, the student is no longer entitled to receive special education or related services, and the district will not be considered in violation of the requirement to make FAPE (a free, appropriate public education) available to your child.

**Date of Birth:**

Re:

Services to your child will be discontinued on:

- When you revoke (withdraw) consent for the continued provision of special education services for your child, the district may not challenge your decision using any formal dispute resolution options. The district must honor your revocation within a reasonable time after you have provided the district with the written revocation.
- Once your revocation is effective, your child will no longer be considered a child with a disability for educational purposes. This means that your child will no longer be eligible to receive a free appropriate public education (FAPE) as defined under IDEA, and will no longer be entitled to protections he or she received when identified as a child eligible for special education. The district will not be required to conduct reevaluations, convene an IEP team meeting, or develop an IEP for your child.
- Your child will be subject to all of the same requirements that apply to general education students, such as academics, statewide and district-wide assessments, extracurricular activities, graduation requirements, discipline, and all other general education requirements.
- Revocation of consent is not retroactive. Your child's records will not be amended to remove references to the receipt of special education and related services prior to your revocation of consent.

If, after the revocation is effective, you change your mind and wish for your child to again receive special education services, you may refer your child for an initial evaluation and the district will follow procedures, including all associated timelines, for an initial special education eligibility request.

Other considerations or additional information:



# PWN by the Public Agency

**34 CFR § 300.503**

(b) The notice required must include:

- (1) A description of the action proposed or refused by the agency;
- (2) An explanation of why the agency proposes or refuses to take the action;
- (3) A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action;
- (4) A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
- (5) Sources for parents to contact to obtain assistance in understanding the provisions of this part;
- (6) A description of other options that the IEP Team considered and the reasons why those options were rejected; and
- (7) A description of other factors that are relevant to the agency's proposal or refusal.



# PWN by the Public Agency

## 34 CFR § 300.503

### (c) Notice in understandable language.

(1) The notice required under paragraph (a) of this section must be--

(i) Written in language understandable to the general public; and

(ii) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

(2) If the native language or other mode of communication of the parent is not a written language, the public agency must take steps to ensure--

(i) That the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;

(ii) That the parent understands the content of the notice; and

(iii) That there is written evidence that the requirements in paragraphs (c)(2)(i) and (ii) of this section have been met.

# Timelines

“There is no requirement in the Individuals with Disabilities Education Act (IDEA) regarding the point at which the written notice must be provided as long as it is provided a reasonable time before the LEA (local educational agency) actually implements the action. This provides parents, in the event of a proposal or refusal to take action, a reasonable time to fully consider the change and respond to the action before it is implemented.”



*Letter to Chandler, 112 LRP 2763 (OSEP 2012)*

# Electronic Mail

*34 CFR §300.505*

A parent of a child with a disability may elect to receive written notices by electronic mail (email), if the school makes such an option.



# When in doubt... Fill it out



If the IEP team questions the need for a prior written notice, best practice is to complete one. It is always better to provide the notice and find it was not required than to have not provided the notice and find that it was required.

# Indicator 11: 60-day Evaluation Timeline



# IDEA Requirement

## Sec. 300.301

### Initial Evaluation

(a) General. Each public agency must conduct a full and individual initial evaluation, in accordance with § 300.305 and 300.306, before the initial provision of special education and related services to a child with a disability under this part.

(b) Request for initial evaluation. Consistent with the consent requirements in § 300.300, either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

(c) Procedures for initial evaluation. The initial evaluation—

- (1) (i) Must be conducted within 60 days of receiving parental consent for the evaluation; or
- (ii) If the State establishes a timeframe within which the evaluation must be conducted, within that timeframe; and
- (2) Must consist of procedures—
  - (i) To determine if the child is a child with a disability under § 300.8; and
  - (ii) To determine the educational needs of the child.

(d) Exception. The timeframe described in paragraph (c)(1) of this section does not apply to a public agency if—

- (1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or
- (2) A child enrolls in a school of another public agency after the relevant timeframe in paragraph (c)(1) of this section has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability under § 300.8.

(e) The exception in paragraph (d)(2) of this section applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed.

# ND Definition of Evaluation Process

ND Guidelines state:

- ▶ Initial evaluation process must be completed within 60 calendar days of date on Consent to Evaluate form
- ▶ Completion of the process is defined as : written documentation of eligibility determination and educational need - IWAR meeting must be held- IWAR must be completed- in draft is ok.
- ▶ If 60 day timeline is exceeded, district must document reason for delay.



# Exceptions to 60 day timeline

## IDEA allows

- ▶ Parent does not present the child- ND treats illness of child differently than parent missing scheduled appointments. NDDPI Special Education Unit expects districts to accommodate parent schedules. Districts should have established policies and procedures (Guidelines for Evaluation p. 7-8)
- ▶ Child moves before the evaluation process is completed. put in meeting notes. Do not complete Exit form- child has not been found eligible for special education.

## ND added two other exceptions in 2009

- ▶ Extreme weather conditions
- ▶ Limited access to qualified evaluator - district must establish that access to qualified evaluator is so limited the evaluation cannot occur in 60 calendar days.

# ND Administrative Rule

## 67-23-01-03. Timelines

- ▶ Exception to sixty-day timeframe for initial evaluation. The district must evaluate a referred child within sixty calendar days after obtaining parental consent for the evaluation unless:

An extension is necessary because of extreme weather that prevented or interfered with the evaluation and the extreme weather condition is documented;  
or

Either party establishes to the satisfaction of the department that access to a qualified evaluator is so limited that the evaluation cannot occur in the initial sixty days.

- ▶ The evaluation period, including an extension for the circumstances described above, may not exceed ninety calendar days.
- ▶ History: Effective October 1, 2009.
- ▶ General Authority: NDCC 15.1-32-09
- ▶ Law Implemented: NDCC 15.1-32; 20 USC 1414

## Calendar Days

Calendar Days are defined as including:

- ▶ Weekends
- ▶ Holidays
- ▶ School breaks: Christmas, Easter, Thanksgiving, Teacher Conference, Professional Conference attendance by personnel or Professional Development days

When the 60 calendar day timeline is exceeded:

LEA must document the reason for the delay in one of the following locations:

- ▶ TIENET IWAR form
- ▶ Meeting Notes
- ▶ Prior Written Notice
- ▶ Events Log

# Common Misperceptions

The following reasons for exceeding the timelines are not permissible :

- ▶ Family or personal illness on the part of LEA staff
- ▶ Assessment personnel changes
- ▶ Staff miscommunication/miscalculation of dates
- ▶ Funeral attendance
- ▶ LEA Staff schedule conflicts
- ▶ Itinerant schedules
- ▶ Testing needed, but not included in initial Assessment Plan

# Clerical Errors

Make sure correct boxes are checked- **initial** is only checked if the student:

- ▶ Has not been evaluated previously,
- ▶ Was dismissed from special education and is being considered for special education again
- ▶ A consent is required for each initial evaluation process- even when student is tested twice during a school year. (i.e. found ineligible and additional testing is being requested because student is still experiencing difficulties)
- ▶ If a student moves or parent revokes consent during the evaluation process,
  - ▶ Child moved- put in meeting notes. Do not complete Exit form- child has not been found eligible for special education.
  - ▶ Parent revoked consent- PWN should be completed acknowledging the school is complying with parent revocation request.

# Helpful reminders in TieNet

- ▶ **List Reports (Calendar View):**
- ▶ **Standard Reports: Unit Reports: 3 year Reevaluation Dates**

In a list report with date columns, go into editing mode and then into report properties. Enable the “Allow Display Report as Calendar” checkbox. Exit edit mode and you will see a dropdown that allows you to view the report as a calendar. Each row of the report becomes an item on the calendar, and you can select any month for which such items exist.

# Indicator 13: Secondary Transition





# 2014-15 Preliminary Indicator-13 File Review Data

Indicator 13 Checklist	Total # IEPs	# Yes response	% Yes response
1. Are there appropriate measurable post-secondary goal or goals that cover education or training, employment, and, as needed, independent living?	376	361	96.01%
2. Are the postsecondary goals updated annually?	376	366	97.34%
3. Is there evidence that the measurable postsecondary goals were based on age appropriate transition assessment?	376	344	91.49%
4. Are there transition services in the IEP that will reasonably enable the student to meet his or her postsecondary goals?	376	348	92.55%
5. Do the transition services include courses of study that will reasonably enable the student to meet his or her postsecondary goals?	376	364	96.81%
6. Are there annual IEP goal(s) related to the student's transition services needs?	376	348	92.55%
7. Is there evidence that the student was invited to the IEP Team meeting where transition services were discussed?	376	367	97.61%
8. If appropriate, is there evidence that a representative of any participating agency was invited to the IEP Team meeting with the prior written consent of the parent or student who has reached the age of majority?	376	369	98.13%
IEPs that meet all transition requirements for Indicator 13	376	302	80.32%

# Is there evidence that the measurable postsecondary goals were based on age appropriate transition assessment?

## *T-1 Section - Transition Domains of the Present Level*

- ▶ The requirement is met if there is new information in each of the domain areas and an age appropriate transition assessment listed under the section titled: By What Method was this Obtained.
- ▶ The requirement is also met if there is documentation that the previous year's transition assessment information about the student's strengths, interests, and needs has been reviewed, remains current or has been revised.
- ▶ The requirement is not met if the information from the previous year has remained the same with no documentation in the PLAAFP transition domain areas that the information was reviewed and remains to be a current assessment of the student's strengths, interests, and needs.

# Are there transition services in the IEP that will reasonably enable the student to meet his or her postsecondary goals?

## *T-3 Transition Services page*

- ▶ The requirement is met if there is at least one strategy or activity identified for each postsecondary goal of the student, the agency responsible is identified, and the timeline for the strategy or activity is within the current IEP year.
- ▶ The requirement is not met if there is not a strategy or activity identified for each of the student's postsecondary goals and or the agency responsible or the timeline is not identified.
- ▶ The requirement is met if there are transition services listed on the IEP that are likely to be provided or paid for by an outside agency and the student and/or parent consented for the outside agency to attend.
- ▶ The requirement is not met if there are transition services listed on the IEP that are likely to be provided or paid for by an outside agency and the student and/or parent did not consent for the outside agency to attend.

# Are there annual IEP goal(s) related to the student's transition service needs?

## *T-1 Section*

- ▶ The requirement is met if there are appropriate measurable postsecondary goals that address Education or Training, Employment, and Independent Living (if applicable). To check to make sure the goals in these areas are appropriate compare the goals with the Present Level of Academic and Functional Performance and/or the student's strengths, preferences and interests.
- ▶ The requirement is not met if there are not any goals for Education or Training, Employment, and Independent Living (if applicable) or the goals are not written as measureable outcomes.
- ▶ The requirement is also not met if there is a misalignment between the student's postsecondary goals (s) and the information available (PLAAFP, student interests, student preferences).

# Steps for Revising/Amending an IEP

- ▶ Go into finalized IEP
- ▶ Click on More tab
- ▶ Click on Create Revision of this Document
- ▶ Edit Document
- ▶ Click on Amendment to IEP and put in date
- ▶ Edit each document you want to change

Dan Doe (SAMPLESCP)

Profile Documents Events Security

By Year: (All) By Category: (All) More...

## Documents for Dan Doe (SAMPLESCP)

Create New Document:

Go

▼ Documents for 2015/16	Status	Creation Date	Modification Date	Finalization Date	Preceding/Original Document
▼ EVALUATION PROCESS					
<a href="#">IEP Ages 6-15 (Revision)</a>	Forced Final	09/08/2015 Tue, 09:56 AM	09/08/2015 Tue, 09:59 AM	09/08/2015 Tue, 09:59 AM	Revision Of: <a href="#">IEP Ages 6-15</a>
<a href="#">IEP Ages 6-15</a>	Forced Final	09/08/2015 Tue, 09:22 AM	09/08/2015 Tue, 09:54 AM	09/08/2015 Tue, 09:54 AM	
<a href="#">Student Profile: Evaluation</a>	Draft	06/30/2015 Tue, 01:15 PM	---	---	
▼ PROCEDURAL FORMS					
<a href="#">Individualized Service Program</a>	Draft	06/30/2015 Tue, 01:18 PM	---	---	

# Course Codes and the 18-21 Transition years

- ▶ Student has completed all required core content courses
- ▶ Use course code of **19710 Secondary Transition Programming for Students 18-21**
  - ▶ Community may be the student least restrictive environment (general education)

## ▶ Applied Topics Courses High School Courses

19910 Alternate Assessed Core Topics in Eng/Lang Arts 1      9-12 Max 1 credit

19822 Applied Topics Eng/Lang Arts III      9-12 Max 1 credit

## Changes this year:

19858 Applied Topics Eng/Lang Arts      *elective*      9-12 Max 4 credits

19859 Applied Topics Math      *elective*      9-12 Max 4 credits

19860 Applied Topics Daily Living      *elective*      9-12 Max 4 credits

# Indicator 12 -

## Transition from Part C services to Part B services



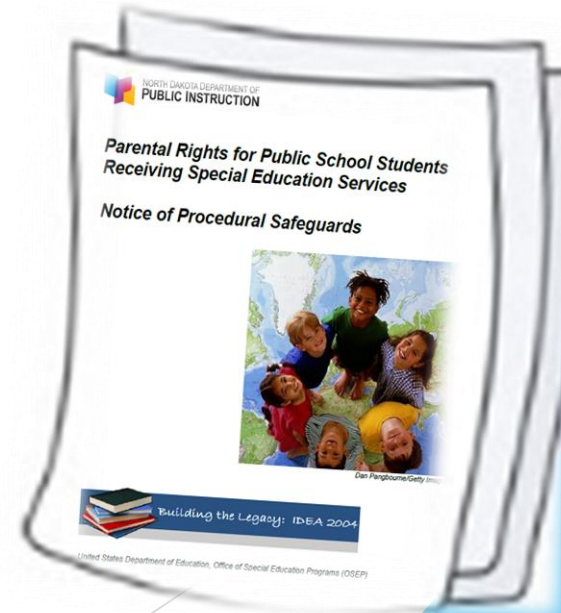
The LEA **MUST** participate in the transition planning conference (2 year, 7 month meeting) for **any** child that is being referred by Part C, if the parent(s) have not opted out of Part B services.



# LEA staff **must** review the Procedural Safeguard document

(Parental Rights for Public School students Receiving Special Education Services:  
Notice of Procedural Safeguards)

with the parent(s) during the transition from  
Part C to Part B.



# 2 year, 7 month meeting

## Meeting Purpose:

To begin to share information between the family, Part C, and Part B staff about the needs of the child and to formalize the activities that will be necessary to complete prior to determining eligibility for Part B services.



**NOTE~** All children officially referred from Part C to Part B will be documented on either the TieNet Indicator 12 report **OR** the Indicator 12 Spreadsheet.



What's the difference between the two? Who goes on what form?

▶ Indicator 12 Spreadsheet

[illegible]

**The children on this report are the children who were not entered into TieNet because the evaluation process was not started.**








## \*Examples\*

The child was dismissed from Part C before the process started.

The parent(s) refused to start eligibility process **before** or **at** the 2year, 7 month meeting.

The child moved out of state.






# TieNet Indicator 12 Report

 **TIE NET**   Search  Communication  Reporting  Administration  Help

North Dakota  
Valerie Bakken (State Wide)  
[Logout](#)

Indicator Reports Indicator 12 (Unit-Wide)

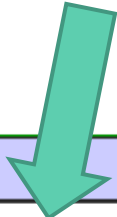
Unit\*:  (ID) lookup \* required Update Report with Values

 Subscribe  Publish  Refresh  Edit Report  Print More... ▼

**Indicator 12**

<a href="#">First Name</a>	<a href="#">Last Name</a>	<a href="#">Birth Date</a>	Special Education Unit	District ID # and Name	<a href="#">Date child was referred from Part C</a>	<a href="#">Eligibility determination completed prior to third birthday?</a>	Reason(s) for eligibility delay	<a href="#">Number of days eligibility was delayed</a>	<a href="#">Eligible for Part B Services?</a>	<a href="#">IEP by third birthday?</a>	Reason(s) for IEP delay	<a href="#">Number of days IEP was delayed</a>	<a href="#">Data Year</a>
There Are No Students That Meet Criteria													

- ▶ The children on this report are the children that have been entered into TieNet and have had an EC Student Profile created where the “yes” box for *Did this child transition from Part C services?* is checked.



ECSE Student Profile: Evaluation			
Student Name	Date of Birth	Grade	Meeting Date
<div></div>	<div></div>	Pre-Kindergarten	07/30/2014
Did this child transition from Part C services (early childhood only)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date of Part C referral: 07/09/2014			

# TieNet PAPERWORK CHECK thus far...



Joint Prior Written Notice



ECSE Student Profile



Consent for Evaluation

# 2 year, 9 month meeting



## Meeting Purpose:

Assessment results will be reviewed and Part B services eligibility will be decided. A disability category will be determined at this time by the TEAM.

This is the assessment that parent(s) consented to at the 2 year, 7 month meeting. The LEA has **no more** than **60** calendar days after parent(s) provide consent to complete the initial evaluation.

If the child is found eligible for Part B services, the LEA has **30** calendar days from the date of the meeting during which eligibility was determined for the child to now hold a meeting to develop the initial IEP.





# TieNet PAPERWORK CHECK thus far if found eligible for Part B services...



IWAR



Consent for Initial Placement



Prior Written Notice for IEP



IEP

# TieNet PAPERWORK CHECK thus far if **NOT** found eligible for Part B services...



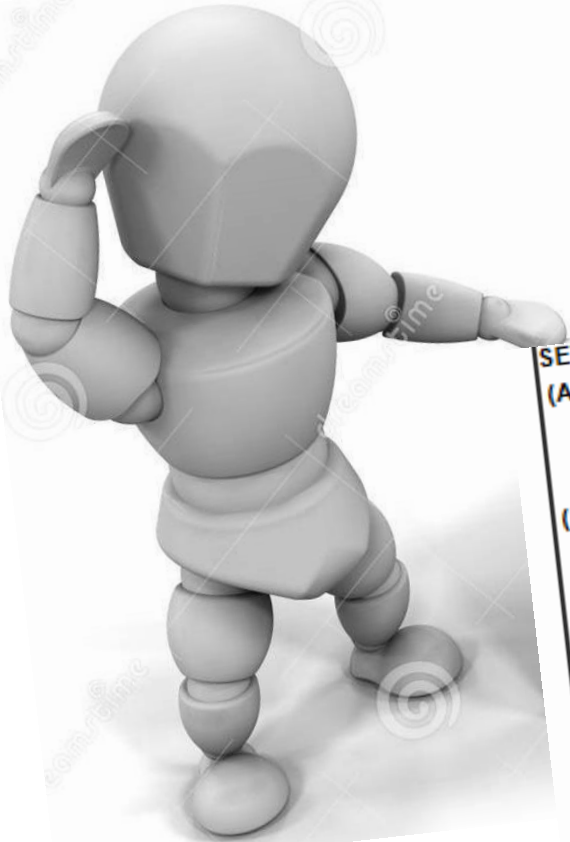
# Paperwork Checklist for a student transitioning from Part C to Part B:



- \_\_\_\_\_ Joint Prior Written Notice
- \_\_\_\_\_ ECSE Student Profile
- \_\_\_\_\_ Consent for Evaluation
- \_\_\_\_\_ IWAR
- \_\_\_\_\_ Consent for Initial Placement
- \_\_\_\_\_ Prior Written Notice for IEP
- \_\_\_\_\_ IEP

Keep in mind,  
that a PWN may  
be necessary to  
follow up as a  
summary of the  
decisions that  
were made as  
an IEP team

# Pre-School Educational Environment



- SETTING - Check one of the following settings:**
- (A) Children attending a regular early childhood program at least 10 hours per week:**
    - ☐ A1. And receiving the majority of hours of special education and related services in the regular early childhood program
    - ☐ A2. And receiving the majority of hours of special education and related services in some other location
  - (B) Children attending a regular early childhood program less than 10 hours per week:**
    - ☐ B1. And receiving the majority of hours of special education and related services in the regular early childhood program
    - ☐ B2. And receiving the majority of hours of special education and related services in some other location
  - (C) Children not attending a regular early childhood program:**
    - ☐ C1. Separate special education class
    - ☐ C2. Separate school
    - ☐ C3. Residential facility
  - (D) Children not attending a regular early childhood program or a special education program (not included in A, B, C above)**
    - ☐ D1. Home
    - ☐ D2. Service provider location or some other location not in any other category above

# REMEMBER...

Regular early childhood programs may include:

- ▶ Head Start
- ▶ Kindergarten
- ▶ Private Kindergarten and/or preschools
- ▶ Preschool classes offered to an eligible pre-kindergarten population by the public school system
- ▶ Group child developmental center & daycare

\*the environment in question needs to include at least 50% children without a disability

# <https://b6tools.ideadata.org/>


## B6 Decision Tree

Home Decision Tree Reporting Categories SPP/APR Scenarios Glossary More Info

### B6 Data Reporting Tools

The IDEA Data Center (IDC) developed this educational environments 3-5 decision tree, scenarios and reporting app to use for IDEA 618 and SPP/APR Indicator B6 reporting.

For more information visit the [IDC website](#).

 **IDC** IDEA DATA CENTER *ECTACenter*

Answer 3 questions to help find the appropriate category for a child

# Youth Mental Health Training

Gail Schauer

Safe and Healthy Schools Unit



# Special Education Leadership Conference

## September 16, 2015

### *“Celebrating Success Together”*





# State Determinations under IDEA and Results Driven Accountability



# Components of RDA

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- ▶ State Performance Plan/Annual Performance Report (SPP/APR) measures results and compliance
- ▶ Determinations reflect State performance on results, as well as compliance
- ▶ Differentiated monitoring and technical assistance supports improvement in all States, but especially low performing States


# State Determinations


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- ▶ Meets the requirements (21 states)
- ▶ Needs assistance in implementing the requirements of IDEA (Yr 1 - 8 states, Yr 2 - 28 states)
- ▶ Needs intervention in implementing the requirements of IDEA ( 1or 2 Yr - 1 state, 3 or more Yr - 2 states)
- ▶ Needs substantial intervention in implementing the requirements of IDEA

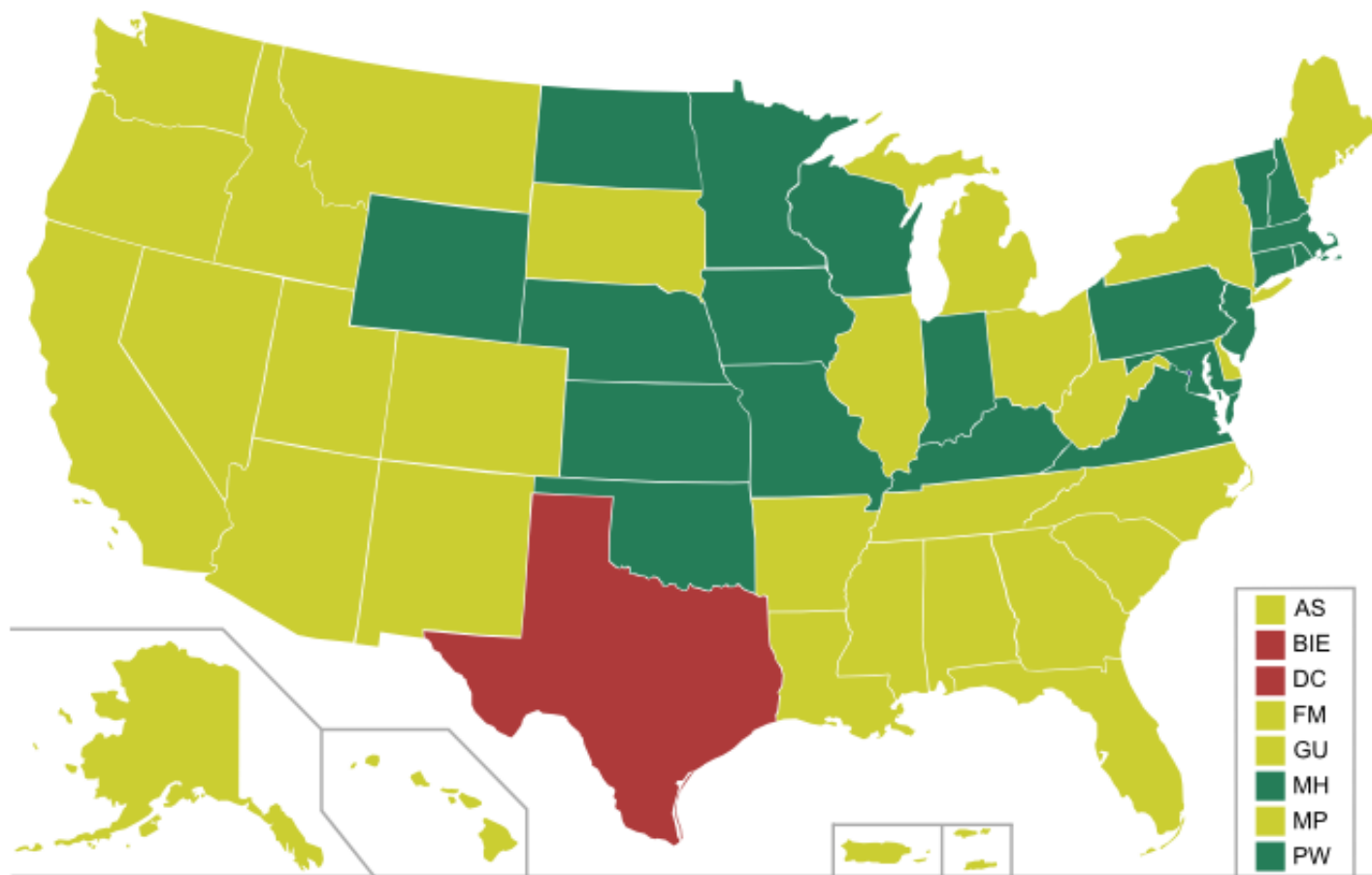
## STATE SPECIAL EDUCATION RATINGS

In June 2015, the U.S. Department of Education released its most recent evaluation of how well states are meeting the requirements of the Individuals with Disabilities Education Act, covering the 2013-14 school year. No state received the lowest ranking, needs substantial intervention. However, several states fell into the needs assistance or needs intervention categories for two or more years, which triggers certain enforcement actions from the department.

Meets Requirements 

Needs Assistance 

Needs Intervention 



# North Dakota's Determination

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Based on the APR submitted in February 2015

- ▶ Data set is from FFY 13 (13-14 school year) except lag indicators which are FFY 12 (12-13 school year)
  - ▶ North Dakota received :
    - ▶ 18 out of 18 points for Compliance for a score 100%
    - ▶ 15 out of 24 points for Results for a score of 62.50%
  - ▶ The scores are then averaged to yield the final percent and determination of
    - ▶ 81.25% - Meets Requirements(80% and above meets requirements)



# APR Compliance Indicators

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- ▶ Indicator 4B: Suspension/Expulsion by Race/Ethnicity
- ▶ Indicator 9: Disproportionate Representations
- ▶ Indicator 10: Disproportionate Representations in Specific Eligibility Categories
- ▶ Indicator 11: Child Find
- ▶ Indicator 12: Early Childhood Transition
- ▶ Indicator 13: Secondary Transition
- ▶ Indicator 15: Resolution Sessions
- ▶ Indicator 16: Mediation

# 2015 Part B Compliance Matrix

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- ▶ Scoring for indicators 4B, 9, 10, 11,12,and 13
  - ▶ Two points: State's FFY 2013 data were valid and reliable and reflect at least 95% compliance (for Indicators 4B, 9, 10 no greater than 5%); State's FFY 2013 data for the indicator were valid and reliable and reflect at least 90% compliance (for Indicators 4B, 9, 10 no greater than 10%)
  - ▶ One point: State's FFFY 2013 data were valid and reliable and reflect at least 75% compliance (for Indicators 4B, 9, 10 no greater than 25%)
  - ▶ Zero point: State's FFY 2013 data reflect less than 75% compliance (for Indicators 4B, 9, 10 reflect greater than 25%); data were not valid and reliable; state did not report FFY 2013 data for the indicator

# APR Results Indicators

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- ▶ Indicator 1: Graduation
- ▶ Indicator 2: Dropout
- ▶ Indicator 3: Statewide Assessment
- ▶ Indicator 4A: Suspension/Expulsion
- ▶ Indicator 5: Educational Environments
- ▶ Indicator 6: Preschool Environments
- ▶ Indicator 7: Preschool Outcomes
- ▶ Indicator 8: Parent Involvement
- ▶ Indicator 14: Post-School Outcomes



# 2015 Part B Results Matrix

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- ▶ The Results Matrix reflects the following data:
  - ▶ Statewide and NAEP assessment in reading and math at 4<sup>th</sup> and 8<sup>th</sup> grade calculated separately:
    - ▶ The percentage of SWD participating in regular Statewide assessments;
    - ▶ The percentage of SWD scoring at basic or above on the NAEP;
    - ▶ The percentage of SWD included in NAEP testing;
  - ▶ The percentage of SWD exiting school by dropping out; and
  - ▶ The percentage of SWD exiting school by graduating with a regular high school diploma.

# APR Indicators

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- ▶ Indicator 1: Graduation (first year included) **States were rank ordered**
  - ▶ Data is based on Special Ed federal exiting data for 12-13. (not the same calculation used for ESEA accountability, does not represent the four year cohort)
- ▶ Indicator 2: Dropout (first year included) **States were rank ordered**
  - ▶ Data is based on Special Ed federal exiting data for 12-13. This is not the same calculation used for ESEA accountability, does not represent the four year cohort.
- ▶ Indicator 3: Statewide Assessment (second year, and includes NAEP)
  - ▶ Results for 4<sup>th</sup> and 8<sup>th</sup> grade proficiency on regular statewide assessment is data from 12-13 school year due to the flexibility waiver (same data as used on last year's determination)
  - ▶ Results for 4<sup>th</sup> and 8<sup>th</sup> grade participation and proficiency on NAEP are from 12-13 school year due to NAEP being administered every other year (same data as used on last year's determination)

# Differentiated Monitoring and Support

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- ▶ Focus on systemic improvement
  - ▶ One comprehensive improvement plan focused on analyzing current system and redesigning as necessary to improve results
- ▶ Targeted TA based on determinations and SSIP
- ▶ Low performing States will get more intensive support
- ▶ Connecting work with Early Learning, SIG and ESEA Flex
- ▶ Reorganization within OSEP
  - ▶ State Self Assessments of:
    - ▶ Dispute Resolution
    - ▶ Correctional Education

# Wrap Up

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- ▶ OSEPs results driven accountability framework brings into focus the educational results and functional outcomes for children with disabilities while balancing those results with the compliance requirements of IDEA.
- ▶ The ultimate goal of the Department, according to Melody Musgrove, Director of Special Education, OSEP, is to use assessment data to measure growth over time.

# How Should We Think about How We Measure Progress?

- ▶ “More interested in long term outcomes than achievement rates. If moving outcome rates you are making progress” Arnie Duncan -Secretary, U.S. Department of Education
- ▶ “Special education moved to RDA - Changing the focus through the SSIP.” Michael Yudin - Assistant Secretary of OSERS
- ▶ “There is excitement and energy around the SSIP effort, creating new ways of doing the work”. Debra Gay Director of Special Education - Georgia
- ▶ “Stop looking at your plan in isolation and look at it in small segments at where work can be addressed in a systematic way. The Department has to lead the way” Marcus Cheeks Federal Programs Director \_ Mississippi

- ▶ 80% of Children with Disabilities spend 60% of their day in the regular education classroom.

“Change is like working in a pressure cooker. We have to keep people in the work until they have time to make the change. Relationships are the vessel that keep the people in the work”.

Ron Heifus



# State Performance Plan Data/Indicator Update

Susan Wagner



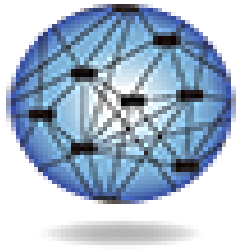
# Souris Valley Special Services Discretionary Grant Project Success story

# Grand Forks Special Education Unit Discretionary Grant Project Success story



# North Dakota State Assessment

## Tammy Mayer & Rob Bauer



**DYNAMIC™**  
LEARNING MAPS

# NORTH DAKOTA ALTERNATE ASSESSMENT (DLM)

# What's New for 2015-16?



## Required Training Modules:

- ▶ New Teachers = 4 modules = 3.5
- ▶ Returning Teachers = 1 module = 30-60 min.
- ▶ Modules are in Moodle, NOT Educator Portal
- ▶ Reduced length, focus on essentials and are more interactive

## Supplemental Materials

- ▶ Quick guide videos: How to complete PNP, First Contact, and ITI
- ▶ Video lengths are approx. 6-10 minutes

## Test Administration

- ▶ One large instructionally embedded window
- ▶ No separate field test windows

## Technology Enhancements

- ▶ Educator Portal
  - ▶ New upload templates for User, Enrollment, and Roster
  - ▶ Align User, Enrollment, and Roster upload templates with t
  - ▶ Braille Ready Files (BRFs)
  - ▶ Instructional Tools Interface (ITI)
  - ▶ First Contact Survey
  - ▶ System-wide navigation enhancements
- ▶ KITE
  - ▶ Student view of testlets (available is grouped by subject)
  - ▶ Computer read-aloud is available



- ▶ Manuals Updates:
  - ▶ Accessibility Manual
  - ▶ Test Administrator Manual (TAM)
  - ▶ Data Steward Manual
  - ▶ Assessment Coordinator Manual
- ▶ Addition of 9-10<sup>th</sup> grade for the instructional embedded phase



# Reminder of October Training

- ▶ **Bismarck: October 1, 2015** (Oliver-Mercer, Morton-Sioux, Southwest, Standing Rock, Emmons, Bismarck, Burleigh, South Central Prairie, Jamestown, Sheyenne Valley, James River, Anne Carlson)
- ▶ **Grand Forks: October 5, 2015** (Grand Forks, Upper Valley, Pembina, Lake Region, Ft. Totten, East Central, Griggs/Steele/Trail, ND School for the Deaf)
- ▶ **Fargo: October 6, 2015:** (Fargo, Rural Cass, South Valley, West Fargo, Wahpeton)
- ▶ **Dickinson: October 8, 2015:** (Wilmac, West River, Dickinson)
- ▶ **Minot: October 9, 2015:** (Peace Garden, Northern Plains, Souris Valley, Turtle Mountain, Lonetree)






# Next Steps



## Educator print outs and update

-  Teachers can complete required training modules once Educator Portal is current
- ▶ Teachers need to update their security agreement for 2015-16 school year
- ▶ Teachers can review their student rosters in Educator Portal for accuracy
- ▶ Complete First Contact and PNP for students on their rosters
- ▶ Become familiar with the blueprints for ELA and Math
  - ▶ Blueprints need to be followed for the instructionally embedded window
- ▶ Review the NDAA-DLM Calendar on the DPI website for upcoming events
- ▶ Teachers should become familiar with the content in the Accessibility and Test Administrator manuals as they will be a helpful resource
- ▶ **SIGN UP FOR DLM TEST UPDATES (ALL STAFF)**

# Special Education Improvement Planning

## Kevin McDonough

# CELEBRATE!

Improvement Planning

Quick List

Resources

Question Summary



# ACTIVITY “QUICK LIST”

## 2015-16

1. Identify Process Facilitator
2. Form Leadership Team
3. Conduct Needs Assessment
4. Set Goals
5. Disseminate Summary & Goals
6. Prepare Prof. Development & Evaluation



# 2015- NEEDS ASSESSMENT

## Elementary & Middle Schools- Evaluate

- Self-Regulation Goals, **AND**
- Student Engagement

## High Schools- Evaluate

- Use of FBA directing BIP, **OR**
- Use of Early Warning Systems

# 2015- GOALS

## Elementary & Middle Schools

- Self-Regulation Goals in IEPs, **OR**
- Classroom Engagement

## High Schools

- FBA directing BIP, **OR**
- Early Warning Systems



# RESOURCES- WEBSITE TOOLKIT



- Improvement Planning Guide**
- Process Checklist**
- Surveys- Tchr. & Admin.**
- File Review Checklist**
- Written Summary Template**
- Application for Planning Funds**
- PowerPoint Presentations**



# RESOURCES- TECHNICAL ASSISTANCE

**\*Conducting the Planning Process\***

**\*Fidelity\***



# Robin

**Peace Garden    Souris Valley**  
**Northern Plains    Wilmac**  
**West River    Dickinson**  
**Oliver/Mercer    Burleigh**  
**Morton/Sioux    Bismarck**  
**Southwest    Standing Rock**  
**Emmons    Lonetree**  
**ND School for the Deaf**

# Tammy

**Turtle Mtn.    Lake Region**  
**Pembina    Upper Valley**  
**Fort Totten    Grand Forks**  
**East Central    Rural Cass**  
**South Valley    GST**  
**Sheyenne Valley    Wahpeton**  
**Jamestown    James River**  
**So. Cntrl. Prairie    Fargo**  
**West Fargo    YCC**

**TECHNICAL ASSISTANCE**

# Special Education Improvement Planning Process

## Fidelity Ratings

Special Education Unit Name \_\_\_\_\_

<u>Component</u>	Leadership Team	Needs Assessment	Goals	Dissemination	Evaluation	Reporting Out	Overall Fidelity Rating
<b><u>Fidelity Rating</u></b> (Scale- 1-4)							
<b><u>Elements</u></b>	<ul style="list-style-type: none"> <li>❖ Important Stakeholders               <ul style="list-style-type: none"> <li>✓ Total Value (2): ____</li> </ul> </li> <li>❖ Active Participation               <ul style="list-style-type: none"> <li>✓ Total Value (2): ____</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Follow Process               <ul style="list-style-type: none"> <li>➤ Data/Evidence Process                   <ul style="list-style-type: none"> <li>✓ Total Value (2): ____</li> </ul> </li> <li>➤ Current Performance                   <ul style="list-style-type: none"> <li>✓ Total Value (1): ____</li> </ul> </li> <li>➤ Improvement Targets                   <ul style="list-style-type: none"> <li>✓ Total Value (1): ____</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Self-Explanatory               <ul style="list-style-type: none"> <li>✓ Total Value (2): ____</li> </ul> </li> <li>❖ Advanced Format               <ul style="list-style-type: none"> <li>✓ Total Value (1): ____</li> </ul> </li> <li>❖ Timeline               <ul style="list-style-type: none"> <li>✓ Total Value (1): ____</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Three Places               <ul style="list-style-type: none"> <li>➤ School                   <ul style="list-style-type: none"> <li>✓ Total Value (1): ____</li> </ul> </li> <li>➤ Unit                   <ul style="list-style-type: none"> <li>✓ Total Value (2): ____</li> </ul> </li> <li>➤ NDDPI                   <ul style="list-style-type: none"> <li>✓ Total Value (1): ____</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Summative               <ul style="list-style-type: none"> <li>✓ Total Value (1): ____</li> </ul> </li> <li>❖ Formative               <ul style="list-style-type: none"> <li>✓ Total Value (1): ____</li> </ul> </li> <li>❖ Fidelity               <ul style="list-style-type: none"> <li>✓ Total Value (2): ____</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Three Times               <ul style="list-style-type: none"> <li>➤ Beginning                   <ul style="list-style-type: none"> <li>✓ Total Value (1): ____</li> </ul> </li> <li>➤ Checkpoints                   <ul style="list-style-type: none"> <li>✓ Total Value (2): ____</li> </ul> </li> <li>➤ End                   <ul style="list-style-type: none"> <li>✓ Total Value (1): ____</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Average of Component Ratings</li> </ul>

# RESOURCES- FINANCIAL SUPPORT

- **2015- Planning Process**
  - \*Application**
- **2015-2017- Professional Dvlpmnt.**
  - \*NDDPI Planned & Funded**
  - \*Discretionary Grant Process**



# RESOURCES- PROFESSIONAL DEVELOPMENT

**FBA-BIP/PTR**  
**Engagement/UDL**  
**SPDG**

# RESOURCES- PROFESSIONAL DEVELOPMENT

- **Self-Regulation Skills**

**Programs- Strongest Research & Evidence Base**

- **Early Warning Systems**

**Include behavior, social/emotional and mental health measures**



# QUESTIONS FROM FIELD

- Can a school add to their existing engagement goals?
  - Yes, add another strategy and activity to existing goal.
- What should I be doing now?
  - Identify a Process Facilitator, Identify a Leadership Team & Schedule 1<sup>st</sup> Meeting.

# QUESTIONS FROM FIELD

What if we want to work on something else?

May choose programs/practices other than what DPI is supporting

May write add'l goals- FBA-BIP- elementary and/or middle school; or engagement goal- HS.

May write goals for other indicators.



# ADD'L INFO

- **Local Unit Directors**
- **Local School Administrators**
- **NDDPI, Special Education Website**
  - [www.nd.gov/dpi/Administrators/SpecialEd](http://www.nd.gov/dpi/Administrators/SpecialEd)
- **NDDPI, Special Education Office**
  - 701-328-2277
- **Kevin McDonough, Project Lead**
  - [kcmcdonough@nd.gov](mailto:kcmcdonough@nd.gov)
- **AdvancED**
  - 888-413-3669 ext. 5754- Meredith, Russ or Angie
  - [www.advance-ed.org/schoolresources](http://www.advance-ed.org/schoolresources)

# PTR Structure in North Dakota

## Valerie Bakken

# Professional Development in the area of Behavioral Supports to:

Conduct quality

Functional Behavior Assessments  
(FBA)

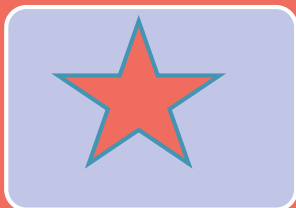
to drive quality

Behavior Intervention Plans (BIP)



### Master Coaches

- Have worked on several PTR cases in their district **AND**
- Have received PTR training and mentoring from Dr. Rose



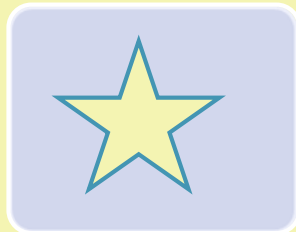
### Coaches

- Have worked on a limited number of PTR cases in their district **AND/OR**
- Have received “some” of the PTR training and mentoring from Dr. Rose



### Unit Facilitators

- A special education unit designee that will be mentored by a Master Coach and Dr. Rose
- Will provide PTR guidance to individual building teams in their unit



### October Training Participants

- Master Coach prospects to partake in the state wide PTR training system
- Have yet to receive PTR training

# Statewide Coaching Cadre Participants

Master Coach Level	Coach Level	New Participants
Cris Deaver - South Valley Rural Cass		Bobbie Jo Uglem - GST
Cristina Sticka-Jacobs - Fargo		Britney Bachmeier - West Fargo
Dawn Miller - West Fargo		Kayla Vandal - Missouri River Educational Cooperative
Jennifer Stroh - Rural Cass		Nikki Johnsrud - Wilmac
		Rodney Mack - Pembina
		Sadie Lech - South East Education Cooperative
		Amandajane Belgarde - Wilmac



## Proposed NDDPI PTR Infrastructure

The purpose of this process is to begin building a cohort of Master PTR Coaches within the state. This cohort will consist of those units which have had previous engagement with NDDPI in the PTR process and professionals newly trained in the model.

By the Fall of 2016 -> Units wanting to implement the PTR process will designate a unit facilitator to be mentored. The small group of Master Coaches will be able to provide PTR coaching to any participating unit facilitator. That unit facilitator is to then provide PTR guidance to the individual unit building teams.

By 2016 - 2017 -> Efforts will continue to build the number of Master PTR Coaches as well as to build a facilitator in each unit.



```
graph TD; MC[Master Coaches] -- Coach --> UF[Unit Facilitator]; UF -- Guide --> BT[Building Teams]
```

Master Coaches

Coach

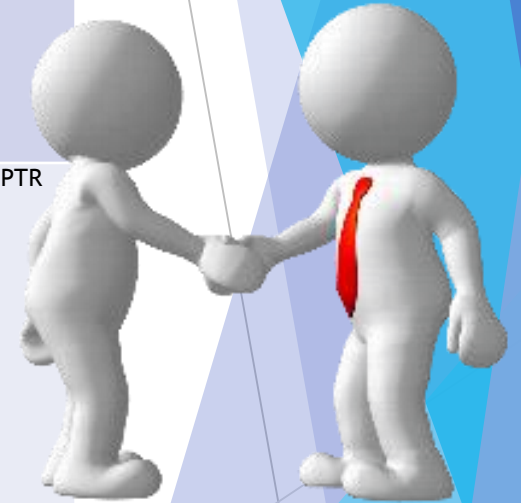
Unit Facilitator

Guide

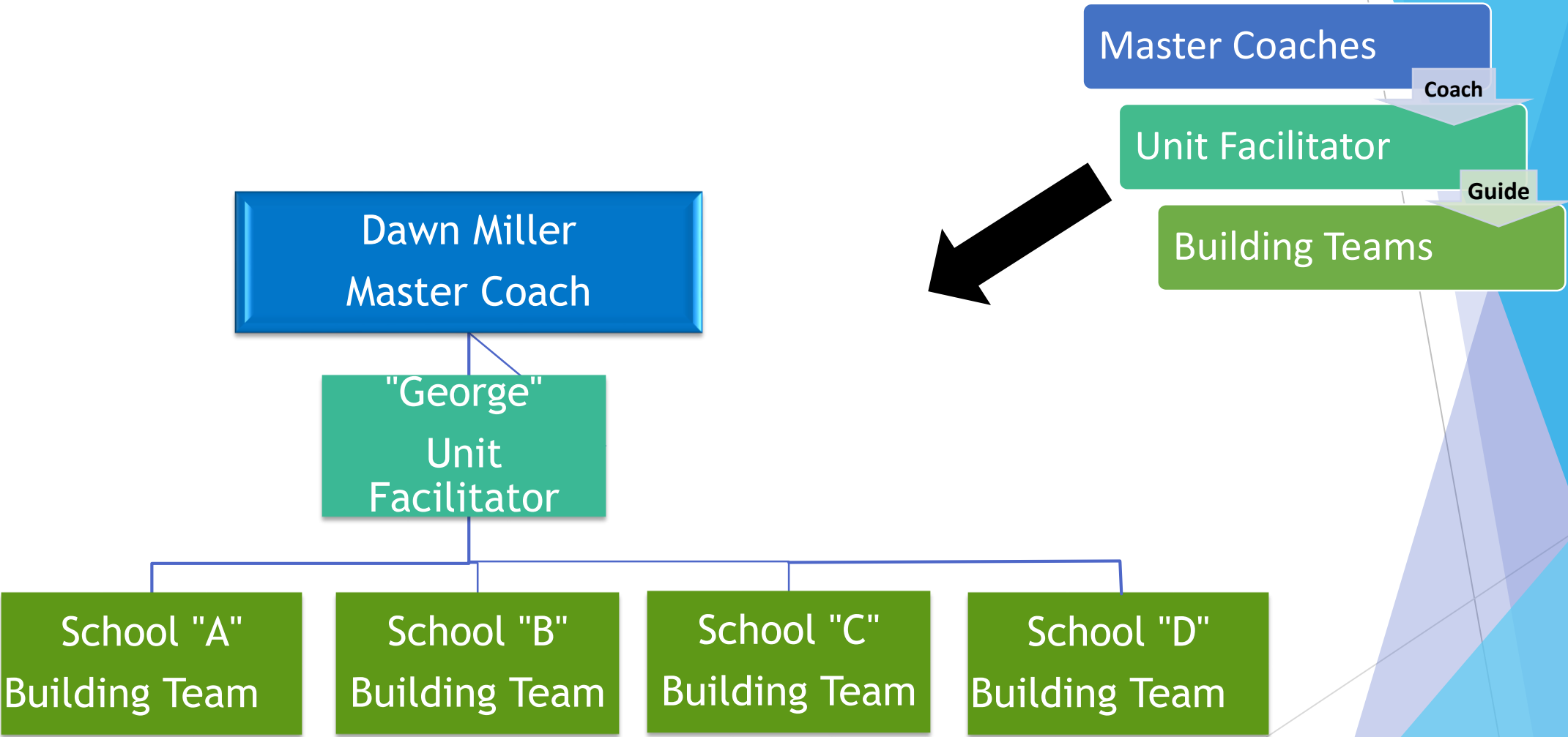
Building Teams

# PTR - Three Year Partnership

Year of Implementation	Special Education Unit & PTR Coaches	NDDPI
Year 1	<p><u>Master Coaches</u> - assist with October 2015 PTR training and possible Spring/Summer 2016 training; provide support and mentoring to newly trained (Oct. participants) PTR coaches; continue and start PTR cases in their schools</p> <p><u>Coaches</u> - complete PTR training, implement PTR in their school with starting new cases and continue mentoring with Dr. Rose</p> <p><u>October Training Participants</u> - work with Dr. Rose and Master Coaches on implementation of PTR in their school along with starting their own cases</p>	<p>*Support/create contract with Dr. Rose Iovannone to continue PTR Model training and support in ND schools.</p> <p>*Contract for master coaches and coaches</p> <p>*Reimburse for substitute</p> <p>*Reimburse master coaches, coaches and newly trained coaches for mileage, lodging, and meals</p>
Year 2	<p><u>Master Coaches</u> - assist with PTR trainings and provide support and mentoring to PTR coaches</p> <p><u>Coaches</u> - implement PTR in their school with starting new cases and continue mentoring with Dr. Rose and Master Coaches</p> <p><u>Unit Facilitator</u> - work with Dr. Rose and Master Coaches on implementation of PTR in their school along with providing guidance to individual unit building teams with starting their own cases</p>	<p>*Support/create contract with Dr. Rose Iovannone to continue PTR Model training and support in ND schools.</p> <p>*Contract for master coaches and coaches</p> <p>*Reimburse for substitute</p> <p>*Reimburse master coaches, coaches, and unit facilitators for mileage, lodging, and meals</p>
Year 3	<p><u>Master Coaches</u> - assist with PTR trainings and provide support and mentoring to Unit Facilitators</p> <p><u>Unit Facilitator</u> - work with Dr. Rose and Master Coaches on implementation of PTR in their school along with providing guidance to individual unit building teams with starting their own cases</p>	<p>*Support/create contract with Dr. Rose Iovannone to continue PTR Model training and support in ND schools.</p> <p>*Contract for master coaches</p> <p>*Reimburse for substitute</p> <p>*Reimburse master coaches and unit facilitators for mileage, lodging, and meals</p>



# Possible PTR flow chart Example 1 - Generic





# PTR TRAININGS



OCTOBER 2015						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

# PTR Trainings for Statewide Coaching Cadre

**12**

Dr. Rose meeting  
with "Master"  
Coaches  
ND State Capitol  
Fort Totten Room  
8:30 – 4:30 PM

**13**

PREVENT, TEACH, REINFORCE (PTR)  
TRAINING  
COUNTRY SUITES  
3205 NORTH 14<sup>TH</sup> STREET BISMARCK, ND  
701-258-4200  
8:30 AM - 4:30 (BOTH DAYS)

**14**

**15**

Dr. Rose meeting  
with Coaches  
ND State Capitol  
Fort Totten Room  
8:30 – 4:30 PM

# PTR Trainings for “Unit Facilitators” to be held Summer 2016 dates to be announced...

# TieNet Updates

## Mary McCarvel-O'Connor

# Adaptations page

- ▶ Text box bigger
- ▶ Remove-Parent has refused student participation (student will be counted as non-participant)

←

→

https://ndakota.tienet.maximus.com/templatedoc.aspx?template=79&sec=258&doc

🔍

🔒

🔄

IEP Ages 6-15 for Dan Doe (...)

Pages - Home

🏠

★

⚙️

FileEditViewFavoritesToolsHelp

🌟

📄

ND Department of Public ...

BT

BismarckTribune.com Bis...

🌐

http--www.doe.virginia.g...

📄

North Dakota University S...

🌐

Wisconsin Department of ...

📧

Free Hotmail

🌐

Tienet

Save, Done Editing

Save, Continue Editing

To complete this section, fill out the form below and click save above.

Student Name: Dan Doe

ID#: SAMPLESCP

G. Adaptation of Educational Services

Describe changes in educational services that will be made to permit successful accommodation and education of this student (e.g. grading, credits, staff, transportation, facilities, materials, Braille, equipment, technology, adaptive devices, curriculum, methods, and other services). Include procedures for monitoring equipment, if applicable. Include consultation, which is not scheduled or predictable. Consideration must be given to the special factors indicated in section E of the IEP.

Insert Statements

Does the student need instructional and related core materials in an accessible specialized format?

Yes

No

Describe the student's participation in North Dakota State Assessment. When completing this section consider the next scheduled NDSA testing window.

Student's current grade does not participate.

Student will participate in North Dakota **State Assessment** without accommodations.

Student will participate in North Dakota **State Assessment** with approved accommodations specified in Adaption of Education Services area.(*Math and English Language Arts/Literacy*)

Student will participate in North Dakota **State Assessment** with approved accommodations specified in Adaption of Education Services area.(*Science (grades 4, 8, 11)*)

Student will participate in the North Dakota **Alternate Assessment** .

NORTH DAKOTA DEPARTMENT OF  
PUBLIC INSTRUCTION

# Progress Reports

- ▶ Progress reports have objectives as well as goal
- ▶ Progress reports clear when IEP is copied over

South Central Prairie Sp Ed Unit  
301 Broadway Ave  
Napoleon, ND 58561  
(701) 754-2971


Student Name: Dan Doe Birth Date: 04/06/1999 Progress Toward Goal # 1 In the IEP dated:

Goal:	
Progress Report 1 Date	Progress Code: Measurable Data:
Progress Report 2 Date	Progress Code: Measurable Data:
Progress Report 3 Date	Progress Code: Measurable Data:
Progress Report 4 Date	Progress Code: Measurable Data:



# Educational Environments/Related Services

- ▶ Changed min/week into minutes to have option of putting min/month

 To complete this section, fill out the form below and click save above.

Student Name: Dan Doe

ID#: SAMPLESCP</div>

I. Educational Environment

Note: Use this setting information to check the federal child count code. By selecting one of the eight categories, the IEP team affirms that they have considered the continuum of services and the selected setting is believed to be the most appropriate environment for the student. Justification for the team's decision. The IEP team must document why the options selected in determining the environment setting are the most appropriate and least restrictive: [Insert Statements](#)

Is there a potential harmful effect to the student with this placement? ☐ Yes ☐ No

J. Special Education and Related Services					
Service	Minutes	Starting Date	Duration	Service Provider (Job Title)	Location of Services
   (none) 			(none) 	<a href="#">Insert Statements</a>	<a href="#">Insert Statements</a>

 NORTH DAKOTA DEPARTMENT OF  
PUBLIC INSTRUCTION

# Additional Information

- ▶ Coming soon-New PE Standards in TieNet
- ▶ Preschool Standards-Step by step process in September TEAM Newsletter

# Pathfinders

Cathy Haarstad

# New AT Guidelines

Updated, Online, Full of Resources

Lynn Dodge

# Work Group Members

- ▶ Barb Delohery- Grand Forks AT Specialist Facilitator: Bill Johnson
- ▶ Don Olson/ Jeannie Krull- IPAT
- ▶ Bette Nelson- Lake Region Director
- ▶ Brandi Trom-Anderson- Bismarck Teacher of Visually Impaired
- ▶ Jennifer Restemeyer -Parent
- ▶ Connie Hovendick- Superintendent of NDSD/RCDHH
- ▶ Stephanie Nelson- Anne Carlsen
- ▶ Wendy Graf- Bismarck - OT/AT Specialist
- ▶ Kirsten Dvorak- Parent

# Guidelines Contents

## Framework for Considering AT

- ▶ Universal Design for Learning
- ▶ Accessible Educational Materials (AEM)
- ▶ Quality Indicators for Assistive Technology
- ▶ Consideration of AT Needs
- ▶ AT Consideration Guides
- ▶ AT Continuum

## Addressing AT in the IEP Process

- ▶ Consideration of Special Factors
- ▶ From Consideration to Assessment
- ▶ The AT Assessment Process: SETT
- ▶ The AT Decision Making Process
- ▶ Implementing AT Solutions
- ▶ Obtaining AT Devices for Trials in ND

# Guidelines Contents

## Addressing AT in the IEP Process

- ▶ Documenting AT in the IEP
- ▶ AT as Special Education
- ▶ AT as a Related Service
- ▶ AT as a Supplementary Aid and Service
- ▶ AT and Transition
- ▶ Progress Monitoring and the Use of AT

## FAQ on Assistive Technology

### Appendices

A- Glossary of AT Terminology

B- UDL

C-AEM

D- Quality Indicators for AT

E- Resource Guide for Consideration of AT

F- AT Assessment Resources

G- AT Tool Checklists



# Guidelines Contents

**Appendices (continued)**

H-Documenting AT in the  
IEP

I-Law and Policy  
Guidance

**North Dakota AT  
Resource Guide  
References**

# Website Location for the AT Guidelines

<https://www.nd.gov/dpi/uploads/60/0ATGuidelines.pdf>

# SPDG Update

## Nancy Burke



SPDG  
2015

# State Personnel Development Grant

# SPDG Grant Goals

1. **Implementing and scaling up MTSS Professional Development for personnel and families of Students with Disabilities**
  - ▶ Academics & Behavior
  - ▶ School Districts & Schools, Families, and Partnerships (Pathfinder & Federation of Families)
2. **Using the implementation science model for developing a Professional Development framework**
  - ▶ Academics & Behavior
  - ▶ Lessons Learned from Cohort 1 & Cohort, Pilot Schools 1 & 2, and School Building Demonstration Sites
3. **Providing field-based training for undergraduate and graduate students at Demonstration Site MTSS schools**
  - ▶ Academics & Behavior
  - ▶ Demonstration Site Schools

Cohort 1  
Cohort 2  
Cohort 3  
Pilot Schools  
Partnerships  
Demonstration Sites

... from the Transformation stage... to the Design Stage...

To the Implementation Stage... It takes Everyone!

# Alignment to North Dakota Special Education Improvement Planning ~ SSIP

Creating a State wide implementation model which can be used to scale-up ND Education Initiatives

▶ Prevent-Teach-Reinforce (Tier 3)

# SPDG...

## Building Capacity for Implementation

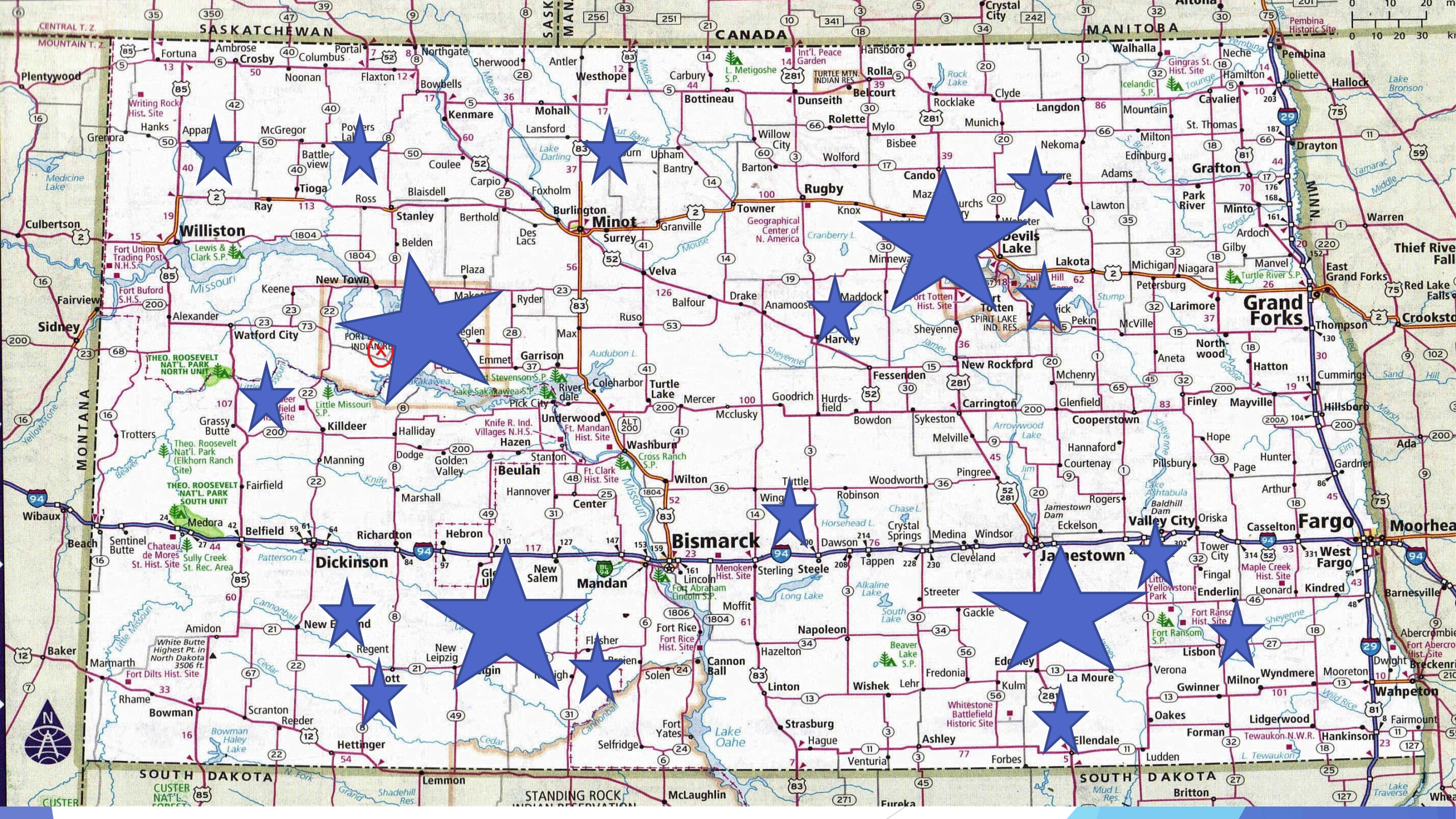


Master Coaches

Regional  
Coaches

District/Building  
Coaches







# Advisory team - Implementation Team

The Implementation Team Members are those who have been Implementing MTSS

# Implementation plan

## ► Components of the plan

# Training framework

## ► Components of the Framework

# Professional Development Calendar

Resource for Schools and Districts

# It's Time to Publish and Share All the Terrific MTSS work Happening In North Dakota!

## NDMTSS Resources

DPI website

ND RTI WEB

Pathfinders website

Thank you for your Leadership in working toward improved outcomes for children and youth with disabilities. You are making a difference!!!

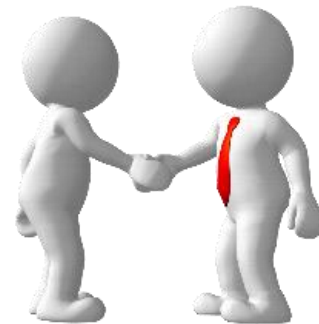


# Closing remarks

“The more challenging the problem the more people who bear the consequences of the solution must be involved in taking the responsibility of working on it”

Ron Heifus

Leadership Without Answers





# Thank You For Coming.

Please call us when you need assistance

Thank you for all you do for children and families in North Dakota

**You ARE APPRECIATED!!**

Have a great year!

